

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

BRODERICK WADE YORK,)	Case No.: 1:25-cv-0059 JLT EPG
)	
Plaintiff,)	ORDER ADOPTING FINDINGS AND
)	RECOMMENDATIONS, DENYING PLAINTIFF'S
v.)	MOTION TO PROCEED <i>IN FORMA PAUPERIS</i> ,
)	AND DIRECTING PLAINTIFF TO PAY THE
J. DOERER, et al.,)	FILING FEE WITHIN 30 DAYS
)	
Defendants.)	(Docs. 2, 6)
)	

Broderick York filed this civil rights action pursuant to 42 U.S.C. § 1983, seeking to hold the defendants liable for violations of his civil rights while housed at United States Penitentiary Atwater. (*See generally* Doc. 1.) Plaintiff seeks to proceed *in forma pauperis* in this matter. (Doc. 2.) The magistrate judge found Plaintiff has sufficient funds to pay the filing fee in full, based upon the report that he had an average monthly deposit of \$843.36. (Doc. 6 at 2-3.) The Court offered Plaintiff an opportunity to provide additional information about the sources of income and financial obligations (Doc. 5), but Plaintiff did not respond. Therefore, the magistrate judge recommended the Court deny the motion to proceed in forma pauperis and order Plaintiff to pay the filing fee. (Doc. 6 at 3.)

The Court served the Findings and Recommendations on Plaintiff and notified him that any objections were due within 30 days. (Doc. 6 at 3.) The Court advised Plaintiff the “failure to file objections within the specified time may result in the waiver of rights on appeal.” (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838–39 (9th Cir. 2014).) Plaintiff did not file any objections and

1 the time to do so has passed.

2 According to 28 U.S.C. § 636(b)(1), this Court performed a *de novo* review of this case.
3 Having carefully reviewed the matter, the Court concludes the Findings and Recommendations are
4 supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 5 1. The Findings and Recommendations filed on February 27, 2025 (Doc. 6) are
6 **ADOPTED** in full.
- 7 2. Plaintiff's application to proceed in forma pauperis (Doc. 2) is **DENIED**.
- 8 3. Within 30 days from the date of service of this order, Plaintiff **SHALL** pay in full the
9 \$405.00 filing fee if he wishes to proceed with his action.

10 **Plaintiff is advised that failure to pay the required filing fee as ordered will result in the**
11 **dismissal of this action without prejudice.**

12
13 IT IS SO ORDERED.

14 Dated: **April 7, 2025**


UNITED STATES DISTRICT JUDGE